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5 Attorneys for: Defendant David M. Semas

6
7 **United States District Court**
District of Nevada

8 CHEMEON SURFACE TECHNOLOGY, LLC, a
9 Nevada limited liability company,

10 Plaintiff,

11 vs.

12 METALAST INTERNATIONAL, INC., a Nevada
13 corporation; METALAST, INC., a Nevada
14 corporation; SIERRA DORADO, INC., a
15 Nevada corporation; DAVID M. SEMAS;
GREG D. SEMAS; and WENDI SEMAS-FAURIA,

16 Defendants.

17 **AND RELATED CLAIMS**

Case No. 3:15-cv-00294-MMD-VPC

**STIPULATION AND ORDER FOR
EXTENSTION OF TIME TO FILE
RESPONSE TO PLAINTIFF
CHEMEON SURFACE TECHNOLOGY,
LLC'S MOTION FOR LEAVE TO FILE
SUPPLEMENT TO ITS
SUPPLEMENTAL BRIEF IN
SUPPORT OF CANCELLATION OF
THE METALAST TRADEMARK
REGISTRATION**

[FIRST REQUEST]

19 Through undersigned counsel, Plaintiff Chemeon Surface Technology, LLC ("Chemeon")
20 and Defendant David M. Semas ("Semas") stipulate as follows:

- 21 1. On December 27, 2018, Chemeon filed its "Motion for Leave to File Supplement to
22 its Supplemental Brief in Support of Cancellation of the Metalast Trademark
23 Registration" as ECF No 451 (the "Motion"). At the same time, Chemeon filed a
24 "Motion for Leave to File Exhibit D" to the motion under seal. ECF No. 452.
Chemeon filed its Exhibit D as ECF No. 453. Finally, Chemeon filed a declaration of
25 Dean Meiling in Support of the Motion. ECF No. 454.

- 1 2. The Motion references and is based upon California litigation in which Semas's
2 undersigned Nevada counsel is not involved.
3 3. It is impossible to respond to the Motion without revealing some text contained in
3 Exhibit D, which Chemeon seeks to file under seal.
4 4. Semas shall have until 5:00 p.m. on Monday, January 14, 2019 within which to serve
5 Chemeon's counsel with a proposed response to the Motion. Chemeon shall then
6 have three business days within which to indicate whether all or a portion of the
7 response should be filed under seal. Within two business days after the notification,
7 and not later than Tuesday, January 22, 2019, Semas shall file his response to the
8 Motion.
9 5. This is the first stipulation of extension of time by the parties to respond to the
9 Motion.
10 6. Pursuant to LR IA-6-1, this first request for an extension is made with good cause
11 and in good faith and not for purposes of delay. Due to out of town business travel
12 for counsel for David Semas, it would be difficult for counsel to meet the current
13 filing deadline. Counsel do not believe that the short extension will cause a delay in
13 this case.

14 Dated January 9, 2019

15 Dated January 9, 2019

16 Holland & Hart, LLP
16 5441 Kietzke Lane, Second Floor
17 Reno, Nevada 89511

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18 50 West Liberty Street, Suite 840
19 Reno, Nevada 89501

20 _____
20 /s/*Timothy A. Lukas*
20 Robert C. Ryan (7164)
20 Anthony Hall (5977)
20 Timothy A. Lukas (4678)
20 *Attorneys for Plaintiff Chemeon*
20 *Surface Technology, Inc.*

21 _____
21 /s/*Michael D. Hoy*
21 Michael D. Hoy (2723)
22 *Attorneys for Defendant David Semas*

23 **IT IS SO ORDERED.**



24 **UNITED STATES DISTRICT JUDGE**

25 DATED: January 9, 2019

Certificate of Service

I, Shondel Seth, certify that I am, and at all times during the service of process was, not less than 18 years of age and not party to the matter concerning which service of process was made. I further certify that I caused the following document to be served:

**STIPULATION AND ORDER FOR EXTENSTION OF TIME TO FILE RESPONSE TO
PLAINTIFF CHEMEON SURFACE TECHNOLOGY, LLC'S MOTION FOR LEAVE TO FILE
SUPPLEMENT TO ITS SUPPLEMENTAL BRIEF IN SUPPORT OF CANCELLATION OF THE
METALAST TRADEMARK REGISTRATION as follows:**

BY ELECTRONIC SERVICE. by electronic transmission through the United States District Court's CM/ECF system to the parties below:

Robert C. Ryan, Esq. rcryan@hollandhart.com

Anthony Hall, Esq. ahall@hollandhart.com

Timothy A. Lukas, Esq. tlukas@hollandhart.com

Chris Hadley, Esq. cbhadley@joneswaldo.com

Chris Hadley, Esq. cbhadley@joneswaldo.com

Under penalty of perjury, I declare that the foregoing is true and correct.

Dated: January 9, 2019.

/s/Shondel Seth

SHONDEL SETH